

Development Permit Panel

Wednesday, May 27, 2009

Time: 3:30 p.m.
Place: Council Chambers
Richmond City Hall
Present: Joe Erceg, Chair
Cathryn Volkering Carlile, General Manager, Parks, Recreation and Cultural Services
John Irving, Director of Engineering

The meeting was called to order at 3:40 p.m.

1. Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on Wednesday, April 29, 2009, be adopted.

CARRIED

2. Development Permit 08-414809

(File Ref. No.: 08-414809) (REDMS No. 2597532)

APPLICANT: Onni Development (Imperial Landing) Corp.

PROPERTY LOCATION: 4020 and 4300 Bayview Street

INTENT OF PERMIT:

1. To permit the construction of six (6) buildings over subsurface parking with approximately 52 dwelling units and 5,713.2 m² (61,496.1 ft²) of maritime mixed-use space at 4020 and 4300 Bayview Street on a site zoned "Comprehensive Development District (CD/104)" and "Comprehensive Development District (CD/105)"; and
2. To vary the provisions of the Zoning and Development Bylaw No. 5300 to:
 - a) decrease the minimum buildings and structures setback from public roads and right-of-ways secured under Public Rights-of-Passage in "Comprehensive Development District (CD/104)" from minimum 1 metre to 0 metre for subsurface dyke support and parking structures at the south ends of No. 1 Road, English Avenue and Ewen Avenue.

Applicant's Comments

Beau Jarvis, Onni Development (Imperial Landing) Corp. was accompanied by Architect Taizo Yamamoto, Yamamoto Architecture Inc., Vancouver. In his introductory remarks, Mr. Jarvis described how the design of the site would integrate the following components of the proposed development of six mixed-use buildings over two, one-level underground parkades:

- (i) public plazas;
- (ii) public parking;
- (iii) street and boardwalk-oriented maritime mixed use;
- (iv) upper floors with a mix of residential and mixed maritime uses (depending on the zoning of the specific parcel); and
- (v) a total of 52 residential units.

Mr. Jarvis added the following information:

- the land is the last parcel, and the key element to be developed, in the master plan of the former BC Packer's site;
- the site is close to the waterfront, adjacent to the City's boardwalk, constructed by Onni;
- the applicant's design creates a strong presence that reflects: (i) the residential character of the neighbourhood and (ii) the historical use of the site; and
- the current design is the fourth iteration of Onni's proposal to develop the site in accordance with the existing zoning districts.

Mr. Yamamoto remarked that in addition to the site's geometry, the development's design was restricted by: (i) the four Right of Ways (ROWs) that traverse it, (ii) the two separate zoning districts on site (CD/104 and CD/105) in three separate areas, and (iii) the floodplain and dike requirements. These restrictions created unique design challenges.

Using display boards Mr. Yamamoto elaborated on the design challenges, and made the following points:

- the four separate ROWs (West Plaza, Easthope Avenue, English Avenue and Ewen Avenue) cover 15% to 20% of the total site area and, by crossing the site, they aide in defining the site's view corridors;
- ROWs provide opportunities for larger public open spaces, and yet they limit locations and sizes of building; in addition, the ROWs: (i) limit locations and sizes of building footprints as well as locations for underground parking access, and (ii) restrict the extent of the underground parkades;
- zoning district CD/105 is in the centre of the site (split into two by the Easthope Avenue ROW) while zoning district CD/104 is in: (i) the western portion of the site and (ii) on the eastern portion of the site (split into three by the English and Ewen Avenue ROWs);

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- the splitting of the site into three areas (east, centre and west) that are further split by three ROWs, means that the CD/104 portion of the site becomes 4 parcels;
- zoning district CD/104 allows for: (i) ground floor Maritime Mixed Use (MMU) and (ii) upper floor residential units;
- as a result of the City's new Flood Plain Designation Bylaw and new provincial dike elevations, the site will be raised to 4 metre geodetic with a temporary dike wall provided along the south edge of the site and tying into the southern wall of the parkades;
- a new finish grade of 4 m geodetic for the site is higher than the existing boardwalk grade, of a range of 0.5 to 0.2 metres, along the south and east property lines, until the dike is raised in the future;
- there would be a 1.1 metre transition from the site down to Bayview Street; and
- a landscape buffer will define the Bayview transition between the deck and the property line and raised planters will break up the change in grade across the north property line, with: (i) localized stairs, (ii) ramps providing access to the ground floor of the buildings on top of the parkade deck, and (iii) gentle slopes at the right of way areas.

Mr. Yamamoto stated that the unique challenges inherent in the site defined the massing and design of the buildings proposed for the site. The objectives of the Steveston Area Plan (SAP) and the definitions of the ROWs impacted the general site planning strategy. He then made the following points with regard to the general site planning strategy:

- multiple pedestrian links are provided on a north-south axis through the site;
- Easthope, English and Ewen Avenues provide the main pedestrian accesses through the site;
- a network of east-west plazas complement the public right of way spaces;
- 40% of the Bayview streetscape length is left open for views through the development to the river; this porous edge to the neighbourhood encourages pedestrian access to the waterfront;
- compact building footprints of the buildings allow a maximum of open space;
- five of the six buildings are oriented east/west to maximize orientation to the waterfront and Bayview Street; and
- along the waterfront and Bayview Street the ground floor MMU spaces have generous facades to provide a lively streetscape.

Mr. Yamamoto described each of the four public plaza spaces:

- Western Plaza: located in front of Building 1, it slopes up from Bayview Street; the provisional dike wall containing the southern side of the plaza would function as a seating ledge; existing signage, and the existing maritime anchor artefact would be relocated in this plaza;

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- Central Plaza: at grade at the termination of Easthope Avenue; it marks the transition of the site from the west/maritime to the east/residential; the plaza's visual landmark is Building 3;
- English Avenue Public Space: there is a 'jog' in the dike wall that allows a sloped transition to the boardwalk; setback of parking, as well as widening of the public realm adjacent to the boardwalk, provides flexible space; Building 4 is setback to allow ground activities to spill out onto the public space; and
- Ewen Avenue Public Space: at 60 feet x 120 feet this space, near Buildings 5 and 6, is large-scale and suitable for events; performances and vending carts are potential uses to fully activate the space.

Mr. Yamamoto described circulation features of the site:

- Building 1 (at the western end of the site) features an accessible entry off the Western Plaza;
- accessible residential lobby accesses are provided off Bayview Street to relate to adjacent residential buildings;
- all buildings have frontages that address Bayview Street and the boardwalk; and
- there are multiple accessible ramps along the south; and a small grade change at the boardwalk allows a transition at the south property line.

Mr. Yamamoto addressed the issues of: (i) parking and (ii) loading, and provided the following details:

- according to the bylaw, a minimum of 260 parking spaces are required for residents, residents' visitors and MMU visitors; the site design provides more than the minimum number of spaces, and includes a total of 273 parking spaces below grade, plus 35 public parking spaces at grade;
- access to the parkade for Buildings 1 and 2 is provided off Bayview Street (between the two buildings) while access to the parkade for Buildings 3, 4, 5 and 6 is provided in two separate locations: (i) between Buildings 3 and 4 and (ii) east of Building 6;
- at grade the parking entrances are covered with heavy timber trellises to minimize visual impact;
- resident parking spaces have additional security gates between resident and MMU parking stalls;
- surface public parking is provided in the English Avenue and the Ewen Avenue ROWs;
- loading areas are surfaced with distinctive paving to provide delineation from parking areas;
- all loading areas are buffered from the adjacent sidewalk and pedestrian areas by planted strips; and

- residential garbage collection areas for residents are located in parkades and MMU business garbage collection areas are located within the buildings, beside the loading bays.

Mr. Yamamoto, in describing the character of the buildings, stated that the building forms were simplified with unifying roof forms that related, in massing, to Steveston's traditional buildings. In general terms he described the form of the six buildings on the site according to their designated zoning:

- CD/104 Zone: (i) secondary roof forms break down the overall roof forms to relate to the residential scale; (ii) residential units are provided with individual balconies to take advantage of the view and to animate the boardwalk; and (iii) balconies are fixed to the exterior of the buildings to maintain simple building massing and to ensure a compact footprint; and
- CD/105 Zone: (i) most of the built area is concentrated in the two-storey Building 2; and (ii) Building 2 provides flexible space at grade for a tenant needing a large space, and it is intended to reduce the second floor footprint for enhanced views.

Mr. Yamamoto described how the buildings' characters, and the choice of materials, demonstrate the shift from maritime to residential buildings, and in particular he noted that:

- at the western end of the site the base of the buildings are defined by circular concrete columns that are reminiscent of 'piers';
- Buildings 1, 2 and 3 feature corrugated metal as their predominant cladding material;
- more traditional residential materials and details define the buildings at the eastern end of the site and these include: (i) painted concrete, (ii) brick, (iii) painted Hardi-board and batten, and (iv) roof gables, or hip roofs, that articulate individual residential units;
- standing seam metal roofing is combined with heavy timber elements and painted wood trim throughout the site; and
- to conform to the SAP, the design elements include: (i) muted colours and (ii) larger scale colour schemes to relate to building massing.

Mr. Yamamoto provided further details by describing the features of the individual buildings:

- Building 1: (i) concrete base with circular columns and heavy timber circular columns supporting heavy timber gable elements and balconies; (ii) dark blue corrugated metal siding with continuous galvanized metal and glass canopies; and (iii) a simple large gable roof form to relate to Building 2;
- Building 2: designed to capture the 'cannery form'; (i) two storey massing elements at the main entry areas, with heavy timber beams supporting the second floor roof; (ii) galvanized corrugated metal siding with circular columns and large storefronts; and (iii) galvanized metal and glass canopies;

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- Building 3: provides a visual landmark at the centre plaza and a gateway at the intersection of Easthope Avenue/Bayview Street/the boardwalk; (i) red painted corrugated metal siding with large, double height windows; (ii) heavy timber elements and a simple gable-roof form relating to Buildings 1 and 2; and (iii) a large canopy addressing the plaza and boardwalk;
- Building 4: moving eastward to more residential in character; (i) brick and green/grey painted Hardi-board and batten; (ii) white painted trim and heavy timber columns and gable trusses; and (iii) a glazed lobby;
- Building 5: (i) a painted concrete base with white built-up columns; (ii) dark blue corrugated metal siding with galvanized metal accent walls; and (iii) a hip roof form broken up to: (a) provide variety with adjacent buildings and (b) minimize the apparent length of the building; and
- Building 6: (i) brick plus tan painted Hardi-board and batten; (ii) white painted trim and heavy timber columns and gable trusses; and (iii) galvanized and glass articulated stair and elevator towers.

With regard to sustainability features on the site Mr. Yamamoto advised that:

- the brownfield site is a remediated former industrial property;
- the construction of the raised dike wall would ensure long-term protection of the neighbourhood;
- almost 27% of the site is unbuilt, allowing for planting and permeable paving for storm water infiltration subject to the design of the site's ROW areas;
- the mixed-use feature of the site encourages more efficient use of the land;
- the site's proximity to No. 1 Road and the boardwalk: (i) encourages pedestrians and bicycle use, (ii) is convenient for transit, and (iii) provides alternatives to the use of private vehicles;
- the residential units feature low-flow fixtures, the drought tolerant planting has a minimized and efficient irrigation system, thereby minimizing water consumption;
- energy efficient appliances and equipment will be used; and
- low off-gassing finishes will be used.

Mr. Yamamoto advised that the requested variance would not affect above-grade massing or building appearance, but that it affected only below-grade activity. If granted, the variance would: (i) provide a continuous dike wall along the southern edge of the site, and would enhance flood protection for the community; and (ii) allow for more continuous underground parkades, minimize the number of parkade ramps facing Bayview Street and diminish the disruption to pedestrians.

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At the conclusion of the applicant's presentation, the Chair requested that more detail be provided with regard to how the site presents to, and interfaces with, the existing residences on the north side of Bayview Street, as well as with the view corridors. The Chair also expressed interest in hearing how many buildings are below the allowed height. In response the applicant provided the following information:

- design elements of the buildings have been deliberately chosen for their ability to easily transition their north facades with the existing residential buildings on Bayview Street;
- the public plazas on the south side of the site are meant to provide transition to the boardwalk along the dike;
- grade changes are buffered with planting strips;
- along Bayview Street, between Buildings 4 and 5, and Buildings 5 and 6, the underground parking structure is set back to allow a gentle slope, and a smooth transition; and on the north side there would be one or two steps or a ramp;
- the stepped planters along Bayview Street provide a planted screen in front of the proposed buildings at the raised area, providing a pleasing appearance for the residents of the existing Bayview Street residential units; and
- Building 3 and portions of Building 2 are below the maximum allowed height.

Discussion continued between the Panel and the applicant. In response to Panel queries, the following information was provided:

- almost 27% of the site is unbuilt which could allow for planting that drains through the pavement and the permeable paving, thus allowing storm water to run through the site, enhancing sustainability subject to the right-of-way design;
- with regard to site accessibility: (i) the western plaza functions as 'a ramp' onto the site; (ii) additional accessibility is provided by the four ROWs; (iii) south of Building 6 there is an accessible route; (iv) the plaza south of Easthope Avenue, as well as entrances to Buildings 1 and 2, provide further accessibility; (v) there is a ramp from the boardwalk; and (vi) residential elevators come to Bayview Street at grade;
- landscaped planting along Bayview Street enhances screening, but it is unknown if a strata council or the City would ultimately be responsible for the maintenance and the appearance of the landscape elements;
- to mitigate potential conflict between pedestrians and skateboarders, the applicant has set the heights of elements on site to discourage skateboarding activity;
- with regard to potential events occurring on the site, an electrical plan has not yet been designed by the applicant for the public plazas, but could accommodate electrical service;

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- the parking plan includes provision for bicycle storage, and some additional storage space is also provided, but the City's flood plain covenant restricts what can be stored below the flood construction level; the storage of kayaks might be possible; and
- existing buildings on the north side of Bayview vary in height. To the east at Phoenix Pond, they are three stories, rising to four stories for the buildings to the west at No. 1 Road.

In response to the Chair's question to staff regarding whether the City's Law Department had reviewed the proposal for 52 residential units on site, Brian J. Jackson, Director of Development advised that: (i) the City's Law Department had reviewed the applicant's plan for 52 residential units on the site, (ii) the wording of the bylaw was ambiguous, and (iii) the applicant's plan for 52 residential units was permitted.

Staff Comments

Mr. Jackson advised that the applicant had responded to the constraints and the unique circumstances presented by the development site, despite the long and shallow configuration of the site. Staff supported the applicant's proposal.

Mr. Jackson stated that the variance is supported by staff. The variance is limited to small portions of the CD/104 portions of the site, where the dike support and parking structures cross over the ROW boundaries. The proposed variance results from a design solution that would: (i) provide a continuous structural support for a future, higher dike for flood protection, and (ii) improve the Bayview streetscape by removing development parking from view and reducing the number of vehicle accesses through providing consolidated subsurface parking structures that cross the ROWs at English Avenue and Ewen Avenue.

In conclusion, Mr. Jackson advised that the setbacks, the six loading bays distributed throughout the site adjacent to Bayview Street, and the parking provisions all conform with the zoning requirements.

Discussion

Discussion ensued between the Panel and staff with the following advice being given:

- Right-of-Ways: the current ROWs allow for pedestrian and plaza use only, but would be discharged and replaced to allow for expanded uses such as pedestrian use, public plazas, events, public parking, vehicle access and utilities to the City-owned water lot, access for utility and maintenance vehicles to the dike;
- Underground parkade: three main agreements will dictate how the applicant is to ensure that the underground parking can bear the weight of vehicles, including trucks and service vehicles, passing overtop and the dike: (i) registration of a dike maintenance agreement, (ii) discharge and replacement of the ROW documents, and (iii) the Servicing Agreement for the design of the ROW areas;

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- Flood Plain Covenant: discharge and replacement of the flood covenant to: (i) meet current standards, and (ii) to harmonize with the Flood Plain Designation Bylaw;
- Public Plazas: the English and Ewen plazas will be designed to ensure that they can accommodate access and the weight for emergency vehicles, dike servicing equipment to access the dike, and all vehicle access to the City-owned water lot;
- Notification: would be registered on title advising future owners that there is a waterfront lot with development potential which may obstruct views that rely on access through the site;
- MMU: the only type of office use allowed in the MMU zoned area is office use related to maritime uses and commercial fishing uses; and
- Retail: in the MMU zone retail uses are not a permitted use in and of itself, and may only be allowed on a limited basis if the retail activity is related, and limited to, the principle use of maritime uses and commercial fishing uses.

The Chair addressed the applicant and stated that the site's zoning allows predominantly for maritime uses and light industrial uses associated with maritime and commercial fishing activity. He expressed concern that the project may be designed more for mixed commercial and residential use.

The Maritime Mixed Uses, defined in the CD/104 and CD/105 zoning districts, were noted.

Furthermore, the Chair requested the applicant to explain, on a building-by-building basis, the square footage and characteristics that make it suitable for maritime uses.

Mr. Yamamoto stated that Buildings 2 and 3 were designed with raised ceiling heights in order to accommodate a business along an industrial scale.

Mr. Jarvis stated that he fully understood the City's definition of MMU and that the buildings on the site were designed in order to: (i) make them as attractive as possible, and (ii) reflect the nature of the residential units to the north of the site. He noted that constraints, such as the boardwalk, the ROWs and existing buildings to the north of the site, dictated the location of the loading bays.

Mr. Jarvis remarked that the at-grade spaces were designed for MMU uses, and that during the design process for these spaces there was no preconceived idea of what businesses might locate there. In response to the Chair's query regarding whether or not the applicant had tried to find allowable uses, Mr. Jarvis responded that as much research as possible that could have been done, had been done.

Mr. Yamamoto added that the approach was to design the spaces for the most flexibility of use as possible, within the specifics of the MMU.

The Chair then asked how a business owner would be able to move his MMU equipment in and out of the unit s/he occupied. Mr. Jarvis responded that this could be done using the loading bay, some stair access, and the double doors, which were similar in size to an industrial roll-up door.

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Mr. Jarvis and Mr. Yamamoto then detailed for the Panel the square footage of each building:

Building 1: ceiling height is 12 feet; MMU space is 6,822 square feet;

Building 2: ceiling height is 17 feet; MMU space is 23,227 square feet;

Building 3: this is a one-story building with a ceiling height of 22 feet; MMU space is 1,855 square feet;

Building 4: ceiling height is 12 feet; MMU space is 6,203 square feet;

Building 5: ceiling height is 12 feet; MMU space is 13,731 square feet;

Building 6: ceiling height is 12 feet; MMU space is 9,631 square feet.

In response to a query from the Chair, Mr. Jarvis advised that no specific mixed maritime use has yet been contemplated for Building 1.

In response to a further query from the Chair, Mr. Jarvis advised that such uses as customer workshops, trades and services would best be accommodated in Buildings 2 and 3, but could also be located in the other four buildings.

The Chair asked whether the number and size of public plazas in this iteration of the design of the site was similar to the number and size of public plazas in an earlier iteration of design for the site that required Rezoning. Mr. Jarvis replied that the applicant has retained the total public plaza space in this iteration of the site design.

Gallery Comments

Ms. Jackie Turner, 12251 Hayashi Court spoke in opposition to the Maritime Mixed Use Zoning on the site and remarked that the MMU designation was in conflict with the area's residents. She was concerned that if occupants of the MMU units conducted maritime-related loading and unloading onto the boardwalk, the activity would have a negative impact on the boardwalk, an amenity to which the public is entitled. She expressed fear that the boardwalk could be lost altogether.

Ms. Turner remarked that at present the boardwalk is safe and accessible to everyone, including those in wheelchairs, but that the applicant's design, and especially its the proposed ramp at the end of Bayview Avenue, would have a negative impact on the boardwalk.

Mr. Jeff Jones, 12333 English Avenue spoke in opposition to the Maritime Mixed Use Zoning on the site and stated that: (i) the MMU Zoning was a mistake, and (ii) since the MMU Zoning was adopted a decade ago, Steveston had undergone much change. He remarked that the MMU limits the type of activities that can be undertaken on the site and that he did not want any maritime-oriented industrial business ventures in the area.

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Mr. David Fairweather, #328-12931 Railway Avenue stated that the Maritime Mixed Use Zoning on the site does not make sense. He queried what would happen to the site if the applicant could not make the MMU units workable.

Mr. Fairweather stated his concern that the historical significance of the site deserved attention and that the applicant should identify the site to commemorate the history of the fishing industry and its contribution to the economy of Steveston.

Mr. Ken Miller, 4111 Bayview Street spoke in opposition to the application and noted that the Mixed Maritime Use Zoning is not feasible. He worked in the fishing industry in Steveston and had witnessed the decline of the village's fishing industry. He noted that along the boardwalk the public desires something aesthetically pleasing and that the three-storey buildings are unattractive, and that the subsurface parkade, only 20 feet from the river, could lead to problems with seepage.

Mr. Miller remarked that the limited number of ramps accessing the underground parkade meant that garbage bins would be carted away at street level, creating noise and congestion.

Mr. Sandy Briggs, 12333 English Avenue spoke in opposition to the application and stated his desire that the applicant revise and bring forward a different plan. He remarked that the Mixed Maritime Use Zoning is a bad idea for the area and would bring too much traffic. He could not understand how the MMU can be sustained. Mr. Briggs added that at present, Steveston has a high volume of visitors on Fridays, Saturdays and Sundays, and the English/Ewen/Bayview area is already overrun with both cars and pedestrians.

Mr. Briggs expressed concern that the four public plazas could be used for busker entertainment, among other uses, and would create noise for the residents and undermine the quiet nature of the area.

At the conclusion of the remarks from members of the Gallery, and in light of Mr. Fairweather's comment that the addition of a special element on the site could celebrate the heritage of the site, a member of the Panel queried staff regarding whether or not this idea had been considered by the applicant.

Staff advised that the issue had been discussed with the applicant, and that due to the applicant's significant contribution to the waterfront in the past, they respectfully declined to provide additional funds for public art.

In response to this information, the Panel noted that there was an opportunity presented by the terraces along the north line of the site, facing Bayview Street, to add value and intrigue to the site if the applicant developed an interpretation, or an area of significance, at this location.

Correspondence

Mr. Jackson advised that in addition to correspondence from six neighbourhood residents received prior to the staff report being distributed to Panel members, the following letters had since been received:

Walter and Shirley Nieboer, #406-4111 Bayview Street (Schedule 1)

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Henry Salomon-De-Friedberg, #305-4111 Bayview Street (Schedule 2)

David Fairweather, #328-12931 Railway Avenue (Schedule 3)

Dominic Andriano, #202-4280 Moncton Street (Schedule 4)

Stephen Johnson, #310-4111 Bayview Street (Schedule 5)

Valerie Nicholas, resident of Steveston (Schedule 6)

Susan and Michael Tian, #31-12333 English Avenue (Schedule 7)

Sonia and Phil Beeksma, residents of Steveston (Schedule 8)

Alden and JoAnn Logan, #409-4233 Bayview Street (Schedule 9)

Panel Discussion

The Chair noted that the Development Permit Panel assesses development projects on the basis of the Development Permit guidelines that are in place for form and character. He advised that he was satisfied that the applicant had met the City's Development Permit guidelines and added that he believed that the applicant possessed a thorough knowledge of the uses permitted in the two zones on the site.

The Chair concluded his remarks by stating that he was pleased to see that the applicant had preserved public plazas and provided for vehicle access to the City-owned waterlot as part of this Development Permit application.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

1. *permit the construction of six (6) buildings over subsurface parking with approximately 52 dwelling units and 5,713.2 m² (61,496.1 ft²) of maritime mixed-use space at 4020 and 4300 Bayview Street on a site zoned "Comprehensive Development District (CD/104)" and "Comprehensive Development District (CD/105)"; and*
2. *Vary the provisions of the Zoning and Development Bylaw No. 5300 to:*
 - a) *decrease the minimum buildings and structures setback from public roads and right-of-ways secured under Public Rights-of-Passage in "Comprehensive Development District (CD/104)" from minimum 1 metre to 0 metre for subsurface dyke support and parking structures at the south ends of No. 1 Road, English Avenue and Ewen Avenue.*

CARRIED

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3. New Business

It was moved and seconded

That the Development Permit Panel meeting tentatively scheduled for Wednesday, June 10, 2009 be cancelled.

CARRIED

4. Adjournment

It was moved and seconded

That the meeting be adjourned at 5:15 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, May 27, 2009.

Joe Erceg
Chair

Sheila Johnston
Committee Clerk